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JRW

Docket No.: K21246 US (C038435/0181394)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re* Patent Application of: )  
Tatsuo HOSHINO et al. )  
Serial No.: 10/511,426 ) Examiner: Irene Marx  
Filed: October 14, 2004 ) Art Unit: 1651  
For: **ALDEHYDE DEHYDROGENASE II** )

New York, New York  
August 15, 2007

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed July 18, 2007, which set a one-month shortened statutory period for response. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before August 20, 2007, because August 18, 2007 is a Saturday. 37 CFR §§ 1.7 and 1.8. No fee is believed to be due. If it is determined that a fee is due, please charge such fee to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

On page 2 of the Office Action, the Examiner issued a three-way restriction requirement pursuant to 35 USC §§ 121 and 372. The restriction divided the claims into the following allegedly distinct inventions: Group I drawn to "a purified alcohol dehydrogenase" containing claims 1-4; Group II drawn to "a method of making

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Reply to Office Action Dated: July 18, 2007



an aldehyde hydrogenase" containing claims 5-12; and Group III drawn to "a method of making a carboxylic acid with a purified alcohol dehydrogenase or a cell free extract *Gluconobacter*" containing claims 7-13. (Paper No. 20070627 at 2.)

In accordance with restriction practice, the subject matter of **claims 7-13 (Group III)** is hereby elected for prosecution with traverse.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 15, 2007.

A handwritten signature in black ink, appearing to read "S J B".

Stephen J. Brown, Reg. No. 43,519

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to read "S J B".

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